

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. Contracting Activity:

Department of Veterans Affairs, Contracting Office VISN 22, Network Contracting Activity, located at 4811 Airport Plaza Dr. Suite 600, Long Beach, Ca. 90822 proposes to enter into a firm fixed price contract on the basis of justification for Unusual and Compelling Urgency for the VA Long Beach Medical Center (VALB).

2. Nature and/or Description of the Action Being Processed:

The VA Medical Center has a requirement for a minimum of two (2) operational boilers. At this time the Medical Center has only one (1) approved operational boiler that is suspected of failing at any moment due to scaling in the water tubes. Emergency repair is required to meet the minimum operational requirement for this critical utility system in accordance with VA Directive 2008-062. Prior to any repairs being performed the VALB is requesting to have a stand by rental boiler in place in event of the operation boiler malfunctions or is inoperable causing the VA Healthcare Facility to lose all utilities.

3. Description of Supplies/Services Required to Meet the Agency's Needs: Rental of boiler.

4. Statutory Authority Permitting Other than Full and Open Competition:

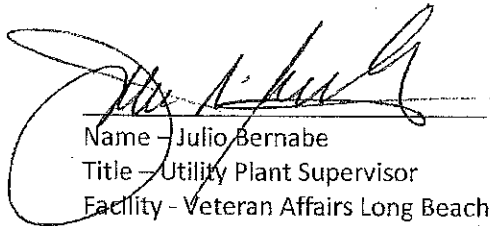
- ☐ (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
- ☒ (2) Unusual and Compelling Urgency per FAR 6.302-2;
- ☐ (3) Industrial Mobilization, Engineering, Developmental or Research Capability or Expert Services per FAR 6.302-3;
- ☐ (4) International Agreement per FAR 6.302-4
- ☐ (5) Authorized or Required by Statute FAR 6.302-5;
- ☐ (6) National Security per FAR 6.302-6;
- ☐ (7) Public Interest per FAR 6.302-7;

5. Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority): The requirements are being procured under the authority of FAR Part 6.302-2 which allows for other than full and open competition when a delay in award of a contract would result in serious injury, financial or other, to the government. R.F. MacDonald Co., is a commercial Contractor that has been selected to perform the project due to the fact that they specialize in Boiler repairs and replacements. R.F MacDonald is the only known company in the area that can perform all requested repairs and bring in the appropriate sized Boiler rental to accommodate the needs of the VA Healthcare Facility in a timely manner with no downtime in an expeditious manner. Based on previous experience with this company our expectation is beyond what we are anticipating. Other companies that we

have requested bids from are requiring drawings and inspection of the underground fuel storage tank system in order to provide quote for this type of work. Other companies that would have requested bids have to go through all the safety training through the VA Healthcare Safety program which hinders the time constraint we have to complete these particular corrective measures in order to keep the VA Long Beach within compliance with the VA Directive 2008-062. These utilities provided are critical for patient care. These boilers provide steam throughout the Facility. Surrounding VA's have their critical surgical equipment sanitized here at SPD which demands steam in order to have them cleaned, with these boilers in the state they are in need of repairs the VA Healthcare Facility will not be able to provide the adequate means of support for all those that need these services. Furthermore, without a functional boiler, certain clinical services will not be provided to patients, therefore VALB will be unable to provide little to no patient care as it pertains to any services that are connected to the boiler system.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** The Government recommends that this requirement be fulfilled by R.F MacDonald, as a sole source procurement in accordance with FAR 6.302-2, as a delay in award would result to having the VA Long Beach not within compliance to the time constraint in order to comply with the VA Directive 2008-062. Other competing companies would have to come to the VALB and conduct an evaluation of the Boiler Plant in order for them to make the determination on what type of equipment to bring or what type of corrective measures are needed to ensure the VA Healthcare Facility is within compliance to the discrepancies found and due to the time constraint these repairs will be required to be completed in order to keep the VA Healthcare Facility within compliance to operate under normal conditions.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The anticipated price to the Government is \$201,000.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market research was not conducted based on FAR Part 6.302.2, unusual and compelling urgency, the agency's need for services is of such an unusual and compelling urgency no other type of supplies or services will satisfy agency requirements, full and open competition need not be provided for.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** N/A
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** There are no other sources that have expressed an interest to date.
11. **A Statement of the Actions, if any, the Agency May Take to Remove or Overcome any Barriers to Competition before Making subsequent acquisitions for the supplies or services required:** In the future, VALB will develop a contingency blanket purchase agreement or indefinite delivery, indefinite quantity (IDIQ) contract vehicle to place an order in an emergent basis, if necessary.

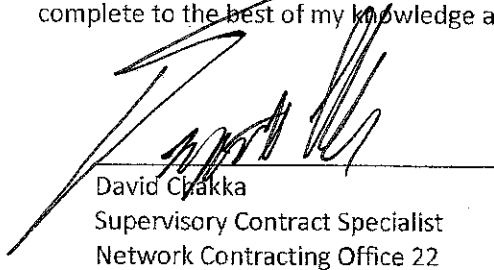
12. **Requirements Certification:** I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.


Name - Julio Bernabe
Title - Utility Plant Supervisor
Facility - Veteran Affairs Long Beach Medical Center

9/22/2015
Date

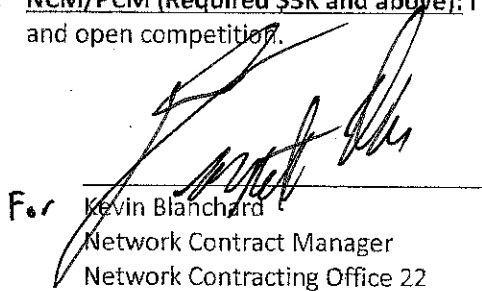
13. **Approvals in accordance with FAR 6.304**

- a. **Contracting Officer's Certification (required):** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.


David Chakka
Supervisory Contract Specialist
Network Contracting Office 22

9/22/15
Date

- b. **NCM/PCM (Required \$3K and above):** I certify the justification meets requirements for other than full and open competition.


For Kevin Blanchard
Network Contract Manager
Network Contracting Office 22

9/22/15
Date